

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  U.S. COENERGY SERVICES	DOCKET NO. CGP-01-6
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**ORDER APPROVING APPLICATION AND ISSUING CERTIFICATE TO PROVIDE  
LARGE VOLUME SERVICE**

(Issued August 31, 2001)

On June 1, 2001, U.S. CoEnergy Services (U.S. CoEnergy) filed an application for a certificate as a competitive natural gas provider (CNGP) with the Utilities Board (Board). The Board's rules at 199 IAC 2.2(18) and 19.14 establish the filing requirements for the issuance of a certificate. Subrule 19.14(4) states an applicant will be notified when its application is complete and the 90-day review period begins. The application was identified as Docket No. CGP-01-6. On June 5, 2001, the Board notified U.S. CoEnergy that the application was complete, and the 90-day review period had begun.

Based upon a review of the completed application, the Board finds that U.S. CoEnergy is a general partnership formed in the state of Wisconsin and, as a partnership, does not need a certificate from the Iowa Secretary of State to do business in Iowa. Subrule 199 IAC 19.14(2) allows CNGPs providing service in Iowa prior to April 25, 2001, to continue providing service during the certification process. U.S. CoEnergy was providing service in Iowa to large volume customers prior to

April 25, 2001, and, therefore, is authorized to provide service until the completion of its certification process.

Iowa Code § 476.87 requires that a competitive natural gas provider or aggregator must reasonably demonstrate managerial, technical, and financial capability sufficient to obtain and deliver the services it proposes to offer. The Board in 199 IAC 2.2(18) and 19.14 established the filing requirements for a CNGP to obtain a certificate. These requirements contain the information determined by the Board to be necessary to review the managerial, technical, and financial abilities of the applicant.

As required, U.S. CoEnergy's application contains the professional background information for its principal managerial and technical personnel. It appears that U.S. CoEnergy's staff possesses extensive knowledge of and experience in various areas of the natural gas industry including marketing of natural gas service. U.S. CoEnergy indicated that it intends to only serve large volume customers in Iowa, and did not file the financial and operational information required for a certificate to serve small volume customers. Additionally, U.S. CoEnergy expressed its commitment to comply with all applicable conditions of certification contained in 199 IAC 19.14(5) and (6). U.S. CoEnergy acknowledged that failure to comply with all applicable conditions may result in the revocation of its certificate.

Based on a review of U.S. CoEnergy's application, the Board finds that U.S. CoEnergy satisfies the requirements of section 476.87. The Board finds that U.S. CoEnergy's application complies with the filing requirements of Board rules, and that U.S. CoEnergy will be issued a CNGP certificate to provide service to large volume customers as defined in 199 IAC 19.14(1).

The Board finds that no additional conditions should be placed on the certificate. To provide service to small volume customers, U.S. CoEnergy will need to file an application to amend its certificate. The application must include the information required by 199 IAC 2.2(18) and 19.14(6).

Concurrently with the issuance of this order, the Board will issue a certificate to provide service to large volume customers, identified as Certificate No. G-0003, to U.S. CoEnergy. U.S. CoEnergy will be subject to the reporting requirements contained in 199 IAC 19.14(5)"c," once the certificate is issued.

**IT IS THEREFORE ORDERED:**

1       The application for a certificate as a competitive natural gas service provider in Iowa filed by U.S. CoEnergy Services, a partnership, is approved, subject to the condition that service is limited to large volume customers as defined by 199 IAC 19.14(1).

2.       U.S. CoEnergy Services shall comply with the filing requirements of 199 IAC 19.14(5).

3. Certificate No. G-0003 shall be issued to U.S. CoEnergy Services.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Mark O. Lambert

Dated at Des Moines, Iowa, this 31<sup>st</sup> day of August, 2001.